



IN THE U.S. PATENT AND TRADEMARK OFFICE

Appn. No.: 10/680,042
Applicant: Brian C. Keller
Filing Date: October 6, 2003
Title: Compounds and Methods for Inhibition of Phospholipase A₂ and
Cyclooxygenase - 2

TC/A.U.: 1621
Examiner: Not yet Known

Docket No.: 205-003C2

Mailed: April 23, 2004
at Newark, CA

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Document is submitted in response to the Notice of Non-Compliant Amendment (hereafter Notice) received March 29, 2004, a copy of which is attached hereto.

As required in the Notice, a listing of the claims with each claim including a proper status identifier is set in the attached listing of claims.

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as attached hereto, addressed to the Mail Stop Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313, will be deposited with the U.S. Postal Service as first class mail with sufficient postage at Newark on April 23, 2004.

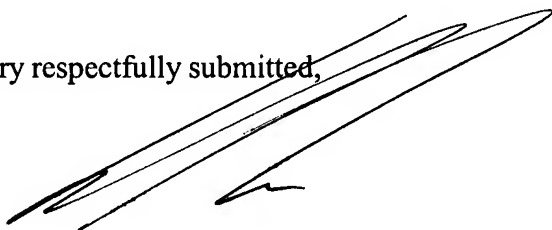
Signature


Evanjin M. Dasalla

Date: April 23, 2004

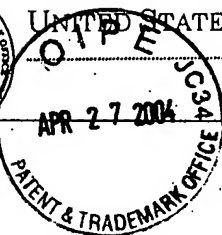
Applicant invites the Examiner to contact the Applicant's representative for a telephonic interview if so doing would expedite the prosecution of the application.

Very respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory Scott Smith', written over a series of three parallel diagonal lines.

Gregory Scott Smith
Gregory Smith & Associates
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Newark, CA 94560

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 2/2/04, is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Indira B. Miller
Legal Instruments Examiner (LIE)

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